

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ALLSTATE INSURANCE COMPANY, et al.,

Plaintiffs,

- against -

**MEMORANDUM & ORDER**

08-CV-4405 (PKC) (PK)

MARK MIRVIS, et al.,

Defendants.

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PAMELA K. CHEN, United States District Judge:

Plaintiffs Allstate Insurance Company, Allstate Indemnity Company, Deerbrook Insurance Company, Allstate New Jersey Insurance Company, and Allstate Property & Casualty Insurance Company (“Plaintiffs”) brought this action on October 30, 2008, alleging violations of, *inter alia*, the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. §§ 1961, 1962(c)–(d), 1964(c), and New York common law, in connection with Defendants’ involvement in an extensive criminal organization. On May 5, 2015, default judgment was entered for Plaintiffs in the amount of \$45,657,401.01, for which the defaulting Defendants were adjudged jointly and severally liable. (Dkt. 303.) On February 7, 2019, Plaintiffs filed a motion to enforce the judgment as to judgment debtor Michael Bezenyan. (Dkt. 621.) This motion was referred to the Honorable Peggy Kuo, United States Magistrate Judge, for a Report and Recommendation (“R&R”) pursuant to 28 U.S.C. § 636(b) and Local Rule 72.1(d). Judge Kuo recommended that the Court grant Plaintiffs’ motion to enforce judgment. (R&R, Dkt. 691, at ECF<sup>1</sup> 1, 10.)

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<sup>1</sup> Citations refer to the pagination generated by the Court’s CM/ECF docketing system and not the document’s internal pagination.

The R&R notified Defendants of their right to file written objections to the R&R, pursuant to 28 U.S.C. § 636(b)(1)(C) and Federal Rule of Civil Procedure 72(b). (*Id.* at 10–11.) A copy of the R&R was served on Defendant Bezenyan on February 28, 2020. (*See* Affidavit of Service for R&R, Dkt. 693.) The statutory period for filing objections has expired, and no objections to Judge Kuo’s R&R have been filed.

A district court reviewing a magistrate judge’s recommended ruling “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). Where no party objects to the magistrate judge’s recommendation, the district court “need only satisfy itself that there is no clear error on the face of the record.” *Jarvis v. N. Am. Globex Fund L.P.*, 823 F. Supp. 2d 161, 163 (E.D.N.Y. 2011) (citation omitted).

The Court has reviewed the parties’ submissions relating to Plaintiffs’ motion to enforce judgment, as well as Judge Kuo’s well-reasoned and thorough R&R. Finding no clear error in Judge Kuo’s decision, the Court adopts the R&R in its entirety, and grants Plaintiffs’ motion to enforce judgment, as recommended by Judge Kuo. The Clerk of Court is respectfully directed to enter judgment in Plaintiffs’ favor.

SO ORDERED.

/s/ Pamela K. Chen

Pamela K. Chen  
United States District Judge

Dated: March 20, 2020  
Brooklyn, New York